

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SYDNEY BROOKE ROBERTS, et al.,
Plaintiffs,
v.
SACRAMENTO HOUSING &
REDVELOPMENT AGENCY,
Defendants.

No. 2:22-cv-01699-DJC-AC

ORDER

Plaintiff has filed "Objections" to the Court's August 14, 2024 Order adopting the Magistrate Judge's Finding and Recommendations, terminating minor Plaintiffs AIMS and TAYS and dismissing Defendant Tyler Thao without prejudice for failure of service. Objections to court orders are not permitted under the Federal Rules of Civil Procedure but the Court construes Plaintiff's filing as a Motion for Reconsideration of the Court's Order.¹ Plaintiff has not shown any grounds for reconsideration of this Court's Order dismissing the action without prejudice. See Fed. R. Civ. P. 60(b).

////

////

////

////

¹ Plaintiff has subsequently also filed a notice of appeal regarding that order. A notice of appeal does not divest the district court of jurisdiction if, at the time it was filed, "there was a pending motion for reconsideration." *United Nat'l Ins. Co. v. R&D Latex Corp.*, 242 F.3d 1102, 1109 (9th Cir. 2001) (citing Fed. R. App. P. 4(a)(4)(B)(i)).

1 IT IS HEREBY ORDERED that Plaintiff's Objection to Order Dated August 14,
2 2024 (ECF No. 65) is DENIED. This matter is referred back to the Magistrate Judge for
3 all further pretrial proceedings.

4
5 IT IS SO ORDERED.

6 Dated: **September 29, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE